



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Thornton

Serial No.: 10/092,651

Filed: March 5, 2002

For: INTRAVASCULAR DEVICE FOR
VENTING AN INFLATABLE
CANNULA

Group Art Unit: 3731

Examiner: Kevin Thao Truong

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

I, John Christopher James, represent that I am an attorney of record for the above-identified application. Edwards Lifesciences Corporation (hereinafter referred to as "Edwards") is the owner of 100% interest in the above-identified invention by virtue of assignment from the inventors to EMBOL-X, Inc. recorded in the U.S. Patent and Trademark Office on August 9, 1999 on Reel 010171, Frame 0818, and then by assignment from EMBOL-X, Inc. to Edwards, recorded in the U.S. Patent and Trademark Office on April 29, 2003 on Reel 013998, Frame 0632.

Edwards hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of U.S. Patent No. 6,102,931. Moreover, Edwards hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450.

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Cynthia B. Pacheco
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same as the legal title to U.S. Patent No. 6,102,931, this agreement to run with any patent granted on the above-identified application and to be binding upon Edwards, its successor, or assigns.

Edwards does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,102,931 in the event that the patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.312(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

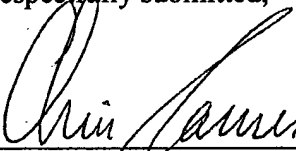
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Dated: _____

April 7, 2004

Respectfully submitted,

By: _____



John Christopher James
Reg. No. 40,660